IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

TUESDAY, THE 27TH MARCH 2007 / 6TH CHAITHRA 1929

WP(C).No. 7104 of 2007(U)

PETITIONER:

SEENA.S., W/O.LATE PRADEEP KUMAR,
VELUTHEDATHNIKATHIL HOUSE, KETHAMANGALOM,
PARAVUR P.O., ERNAKULAM.

BY ADV. SRI.TITUS MANI
SRI.S.SURAJ (PALATHANATHU)

RESPONDENTS:

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1. UNION OF INDIA, REPRESENTED BY
SECRETARY TO THE SPORTS AND YOUTH WING,
NEW DELHI.

2. ASSISTANT DIRECTOR,
SPORTS AUTHORITY OF INDIA,
SPDA CENTRE, THRISSUR-20.

BY ADV. SRI.BOBBY MATHEW, CGC
SRI.GOVIND K.BHARATHAN,SC FOR SAI.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO.7104 of 2007

Dated this the 27th day of March, 2007

JUDGMENT

A vacancy in the post of Lady Warden, reserved for widows, was reported by the second respondent to the Employment Exchange where the petitioner has registered her name. It is stated that the petitioner is eligible and qualified for appointment to the post of Lady Warden. She received Ext.P1 Telegram on 26.2.2007 informing her that interview for the post of Lady Warden would be held on 26th February 2007. The petitioner submits that Ext.P1 was received by her at 12.30 p.m. on 26.2.2007. Immediately on receiving Ext.P1, she rushed to the office of the second respondent at Thrissur and reached there at 3.30 p.m. In the meantime the interview was over. Hence the petitioner could not participate in the interview. Feeling aggrieved, she has filed this writ petition seeking for directions to

the second respondent to consider her for the post of Lady Warden after conducting interview afresh.

2. Learned counsel appearing for the second respondent submits that all candidates were duly informed about the date of interview by sending telegraphic messages as early as on 21.2.2007, so that the candidates would be able to appear before the Interview Board. 19 candidates appeared at 10$^{o'}$ clock on 26.2.2007 before the Interview Board consisting of the Assistant Director, Alappuzha, the Assistant Director, Thrissur etc. Those appeared in the morning were interviewed. Finding that no other person was present, the interview was closed. The petitioner appeared before the second respondent at Thrissur at 3.45 p.m. and since the interview was already over, the second respondent could not accede to the request made by the petitioner to hold an interview for her.

3. Heard both sides.

4. On an anxious consideration of the submissions made by the counsel on either side, I feel that interest of justice requires

that this Court shall interfere to see that the petitioner is afforded an opportunity to appear before the Interview Board for the post of Lady Warden, though I agree with the submission made by the counsel for the second respondent that the blame cannot be put at the doors of that respondent, for, the telegraphic message was sent on 21.2.2007. At the same time, the petitioner also cannot be made to suffer, for, Ext.P1 clearly shows that she received Ext.P1 only at 12.30 p.m. on 26.2.2007.

5. In the circumstances, there shall be an order directing the second respondent to convene a meeting of those officers who had conducted the interview and to permit the petitioner to appear before the panel of Officers so that the interview as far as she is concerned will be conducted before finalising the selection process. Learned counsel for the second respondent submits that the final decision has not been taken by the second respondent with regard to the result of the interview and selection. That being the position, the interview, as far as the petitioner is concerned, shall be held on 9th April 2007 at 11 a.m. It is open to

the petitioner to appear before the Interview Board at 11 a.m. on 9.4.2007.

With the above directions, the writ petition is disposed of.

K.K.DENESAN, JUDGE

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